

REMARKS

The Office Action dated July 21, 2006 has been received and carefully considered. The above amendments and the following remarks are being submitted as a full and complete response to the Office Action.

Before addressing the claim rejections, the amendments and claimed features of the invention shall briefly be discussed.

First, claim 1 has been amended to clarify that the duct (1) has a side wall with a wing-shaped cross section, in particular wherein the side wall *has no holes* therein. Such a feature is clearly supported by the FIG. 1, in which the cross sectional shape of the side wall is shown as wing-shaped, and moreover, wherein it is clear that the side wall does not have any holes therein that penetrate through the side wall. FIG. 3 also clearly shows that the side wall that makes up the duct (1) has no penetrating holes therein.

In addition, all of the original claims have been amended to improve readability and to place the claims in a condition more suitable according to U.S. practice standards. Such amendments do not introduce new matter or alter the substantive features of the claims.

Finally, new claim 7 has been added. Claim 7 depends from and further limits the subject matter of claim 2. Specifically, claim 7 indicates that the predetermined angle of the chord (11) is inclined at a positive angle such that a leading edge of the chord (11) at the front end of the duct (1) is separated a greater distance from the duct axis (12) than a trailing edge of

the chord (11) at the rear end of the duct (1). Once again, such features are clearly supported by FIG. 1, wherein it is readily visible that the front end of the chord (11) is separated a greater distance from the duct axis (12). Stated otherwise, the diameter of the duct opening at the front end is greater than the diameter at the rear end of the duct.

Turning now to the Office Action, claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Oman et al. (U.S. Patent No. 4,075,500).

It is respectfully submitted that the feature of amended claim 1, wherein the duct has a side wall with a wing-shaped cross section, and in particular, wherein the side wall has no holes therein, clearly is not suggested by the cited prior art.

Quite the contrary, referring to the embodiment shown in FIG. 1, a plurality of control slots 34, which penetrate through the duct wall, are disposed circumferentially around a central region of the duct. With respect to the embodiment shown in FIG. 4, which was principally relied upon in the current office action, a flow controller 54 and bleed vent doors 56 are provided, both of which serve to create holes in the wall of the duct. Finally, the embodiment of FIG. 5 includes vent louvers 62, 66, which again penetrate through the duct wall.

In Oman, because such holes or slots are disposed in the side wall of the duct, the flow of wind through the wind power generator has a tendency to become unstable, particularly when the wind speed through the duct is high. Moreover, the pressure reduced area produced at the rear end of the duct tends to become

unstable, and may disappear entirely, when the wind speed is high. This is evident from the fact that the peak power coefficient in Oman, described with reference to FIG. 7, exists at low wind speeds and decreases considerably at high wind speeds.

In contradistinction to Oman, in the present invention, since no such slots or holes are provided in the duct wall, the claimed wind power generation device is capable of forming a reduced pressure area at the rear of the duct, which is maintained stably during all wind speeds.

Moreover, the feature now recited in amended claim 1, wherein the side wall has no holes therein, is completely contrary to the embodiments and teachings described in Oman. Thus, there could have been no suggestion to a person skilled in the art to modify Oman to include this claimed feature, as doing so would be opposite and contrary to the explicit teachings and objects of the cited prior art.

Accordingly, it is respectfully submitted that the features recited in amended claim 1 are not anticipated by Oman, and that the rejection cannot be sustained. The features of dependent claim 2, likewise, are allowable at least for the same reasons as independent claim 1.

In addition, with respect to new claim 7, it is noted that in all embodiments disclosed by Oman, the diameter of the duct is wider at the rear end and narrower at the front end. Hence, the chord defined by the cross sectional configuration of the duct in Oman is opposite to the features recited in claim 7, in which the predetermined angle of the chord is inclined at a positive angle

such that the leading edge of the chord at the front end of the duct is separated a greater distance from the duct axis than the trailing edge of the chord at the rear end of the duct. Once again, the structures disclosed by Oman are completely opposite to the claimed features.

In summary, it is respectfully submitted that the claimed invention is not anticipated and would not have been obvious to a person skilled in the art at the time the present invention was made. Withdrawal of the rejections, and allowance of all pending claims 1 to 7, is respectfully requested.

This paper is accompanied by a request for a one-month extension of time for responding to the Office Action, the fees for which are enclosed. Any other fees, or deficiencies in fees, that may be considered necessary in connection with this or any accompanying communication may be charged to the attorney's deposit account no. 07-2519.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul A. Guss', with a stylized flourish at the end.

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